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ELECT.

Attorney Docket No. 46342/56000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Toyoda et al.

Art Unit: 1636

U.S.S.N: 09/869,098

Examiner: G. Leffers

FILED: June 21, 2001

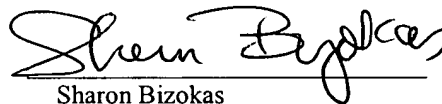
FOR: UCP-2 PROMOTER AND USE THEREOF (formerly UCP-2 PROMOTER DNA)

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on June 26, 2003.

By:


Sharon Bizokas

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement of June 9, 2003, Applicants hereby elect Group I, which presently includes claims 1-8 and 11, with traverse.

The present election is made solely to comply with the restriction requirement set forth in the Office Action. It should not be construed as a disclaimer or surrender of any subject matter in the application. The right to file one or more divisional applications on the non-elected claims is reserved.

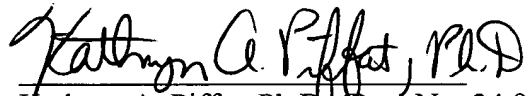
Applicants respectfully request reconsideration of the Restriction Requirement as set forth. For example, it is believed that no undue burden would be imposed by examination of

Groups I and II, because searches for these two groups would overlap significantly. Accordingly, it is requested that the restriction requirement be reconsidered and the claims of Group I be joined to those of elected Group II.

Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Respectfully submitted,

Date: June 26, 2003


Kathryn A. Piffat, Ph.D. (Reg. No. 34,901)
Intellectual Property Practice Group of
Edwards & Angell, LLP
P.O. Box 9169
Boston, MA 02209
Tel: (617) 439-4444
Fax: (617) 439-4170/7748